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Attorneys for Defendants iTaste Co., Ltd.,
Froothie USA LLC, and Xiuxing “Leo” Chen

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

FRESH PRESS, LLC

Plaintiff,

vs.

iTASTE CO., LTD., a/k/a iTaste Co., Ltd.
Shanghai, China and Shanghai iTaste
Electronics Technology Co., Ltd., d/b/a Juisir;
FROOTHIE USA LLC, a Delaware limited
liability company; and
XIUXING “LEO” CHEN, an individual,

Defendants.

CASE NO. 5:17-cv-01921-BLF

**STIPULATION AND [PROPOSED]
ORDER FOR VOLUNTARY DISMISSAL
WITHOUT PREJUDICE
[F.R.C.P. RULE 41(A)(2)]**

1 Pursuant to Federal Rule of Civil Procedure 41(a)(2) and based on the representations of
2 each and every Defendant that they are not currently making, using, selling, nor offering for sale in
3 the United States, nor importing into the United States, the accused JuLaVie cold press juicer nor
4 any product not colorably different from same, and nor do they have current plans to enter the U.S.
5 market to commercialize any such products, the parties hereby stipulate and jointly move that this
6 Court dismiss this action without prejudice, with each party to bear its own costs and attorneys' fees.

7 The parties are not waiving any claims or arguments nor acquiescing to any actions of any
8 parties and reserve all rights to pursue these claims (and any others now existing or later arising) in
9 the future.

1 Dated: July 2, 2020

QUINN EMANUEL URQUHART & SULLIVAN, LLP

2
3 By: /s/ Joseph Milowic III

4 Joseph Milowic III

5 Attorneys for Plaintiff
FRESH PRESS, LLC

6
7 Dated: July 2, 2020

FENWICK & WEST LLP

8
9 By: /s/ David Hadden

10 David Hadden

11 Attorneys for Defendants
iTASTE CO., LTD., FROOTHIE USA
12 LLC, and XIUXING "LEO" CHEN

13
14 **ATTESTATION PURSUANT TO CIVIL L.R. 5-1(i)(3)**

15 Pursuant to Civil L.R. 5-1(i)(3), I attest that concurrence in the filing of this document has
16 been obtained from its signatories.

17
18 Dated: July 2, 2020

19 By: /s/ Joseph Milowic III

20 Joseph Milowic III

21
22
23
24 **IT IS SO ORDERED.**

25
26 DATED: _____

27 _____
Hon. Beth Labson Freeman
United States District Judge